

Salem Planning and Zoning Commission  
July 27, 2010

Present: Amato, R.

Bingham, D. - arrived at 7:06 pm

Buckley, K.

Burr, E.

Chinatti, M. - Town Planner/ZEO

Fogarty, G., Alt.

McKenney, H.

Savalle, R.

Walter, G. - arrived at 7:07 pm

Absent: Smith, V., Alt.

Vacancy, Alt.

**CALL TO ORDER:**

H. McKenney, chair:

- Called the meeting to order at 7:05 pm, and
- With the Commission's consent, seated G. Fogarty for D. Bingham.

**ADDITIONS TO THE AGENDA:**

With the Commission's consent, the chair added the following to tonight's agenda:

Under *PETITIONERS*:

"1. Chinatti - Request for Support - CT DEP 319 NPS Management  
Grant Program Application (Niantic River Watershed)"

**PUBLIC HEARING(S):**

None Scheduled

**PETITIONERS:**

- 1) **Chinatti - Request for Support - CT DEP Section 319 NPS Management  
Grant Program Application (Niantic River Watershed)**

M. Chinatti, Town Planner/ZEO/WEO:

Discussed information (see attached to the filed copy of these minutes) she  
had provided to the Commission in regard to this grant.

During discussion:

D. Bingham arrived at the meeting;

G. Fogarty stepped down; and

D. Bingham assumed his seat on the Commission.

G. Walter arrived at the meeting and assumed his seat.

After Commission discussion, the following action was taken:

M/S/C (McKenney/Burr) that the Salem Planning and Zoning Commission grants the request of M. Chinatti, Salem Town Planner/ZEO/WEO, for support of her application for a CT DEP Section 319 NPS Management Grant Program Application (Niantic River Watershed). Vote: approved unanimously.

**PUBLIC COMMENTS:**

There were no *PUBLIC COMMENTS*.

**OLD BUSINESS:**

2) **Proposed amendments to the Salem Zoning Regulations**

(This item was moved to before 1) *Town Center Zone* for discussion.)

The Commission reviewed the draft of **SUBSTANTIVE CHANGES** and **CLERICAL CHANGES** (see attached to the filed copy of these minutes) to the Zoning Regulations prepared by the Town Planner:

**SUBSTANTIVE CHANGES**

**Section 3.5a)**: Commission agreement that the part of the paragraph to be deleted is uncertain and adds to confusion.

**Section 3.14.7**: Commission agreement that I (Industrial Zone) was excluded due to an oversight.

**Section 4.1.7**: using "public buildings/schools" with "uses" is mixing apples with oranges; schools are public buildings; perhaps there could be a list of the public buildings and a list of uses. Commission agreement that instead of using *and uses* and *schools*, state as follows: "Public buildings, public services and/or events approved by the Board of Selectmen, .....

**Section 9.1.22**: Commission agreement that this section should be deleted and the remaining sections should be renumbered accordingly.

**Section 9.1.29**: should be renumbered as **Section 9.1.30**, and

**Section 9.1.30**: should be renumbered as **Section 9.1.31**:

Commission agreement that both sections should be renumbered and added as subsections of Section 9.1.

**Section 9.2.11**: Commission agreement that more information is needed in regard to this matter. EDC comments should be requested as to how this would fit into their plans.

**Section 9.4a.**: Commission agreement as to amendment.

**Section 9.4a.i:** should be renumbered as **Section 9.4a.1.**, and

Commission agreement that it should read:

"No building or structure located in an industrial park layout on a new road, public or private, within an Industrial Zone shall be located within thirty-five (35) feet of a front lot line unless adequate buffering is provided."

**Section 9.4b.:** Commission agreement as to amendment.

**Section 11A.2.6:** Commission agreement that the amendment opens this regulation up.

**Section 11A.5.7:** Commission agreement as to amendment.

**Section 14.1 - DEFINITIONS:**

**Excavation** shall not include:

**1b.:** Do not delete: ..... *less than one hundred (100) cubic yards* .....

**1c.:** Add waiver language.

Commission agreement that this proposed amendment to *Section 14.1 - DEFINITIONS* needs to be tabled for further discussion at a later date and to investigate how other towns handle this.

**Section 14.3.1b):** Commission agreement to change ..... *five hundred (500) feet* ..... to "..... *two thousand (2000) feet* .....".

**Section 14.3.1e):** Commission agreement to amend as stated.

**Section 25A.6.1(d)i:** should be renumbered as **Section 25A.6.1(d)1.**, and Commission agreement that a few specifics of the MA standards should be included.

**CLERICAL CHANGES**

**Section 2 - DEFINITIONS:**

**Passive Recreation:** Commission agreement that this definition should be deleted.

**Recreation, Passive:** Commission agreement that this proposed amendment to this definition combines both definitions and to amend as proposed.

**Section 3.25C.:** as this section appears twice, Commission agreement that one of them should be deleted.

**Section 5.2.12** and **Section 6.2.7:** Commission agreement to amend both sections as proposed.

**Section 7.1.10:** Commission agreement to amend as proposed.

**Section 7.1A.9:** Commission agreement to amend as follows:

"Retail establishments, including food service establishments, which include drive-u window service .....

**Section 7A.2.9, Section 7B.2, and Sections 7B.5 and 7B.7:** Commission agreement to amend to correct formatting errors.

**Section 8A.2.5:** amend to delete *Antennae* and replace it with "multiple antenna." Commission agreement to amend as amended this evening.

**Section 8A.2A** and **Section 8A.2A.1:** Commission agreement to delete as proposed.

**Section 11A.5.5:** Commission agreement to amend as proposed.

**Section 14.1 DEFINITIONS:**

**Surplus Material:** Commission agreement to amend as proposed.

**Section 14.6f):** Commission agreement to amend to read:

"Monitoring and Inspection Fee of \$10.00 per 1,000 cubic yards of earth excavation to be removed after 9/15/08 in accordance with the approved plan."

**Section 15.2.10** and **Section 15.2.11:** Commission agreement to amend as proposed.

**Section 17.2.3** and **Section 17.2.4:** Commission agreement to amend for correct numbering.

M/S/C McKenney/Buckley) to set a public hearing for Tuesday, October 19, 2010, 7:00 pm, Salem Town Office Building, 270 Hartford Road, for proposed amendments (Substantive and Clerical) to the Salem Zoning Regulations to the following sections: 3.5a), 3.14.7, 4.1.7, 9.1.22 (with renumbering of remaining sections), 9.1.30, 9.1.31, 9.4a., 9.4a.1, 9.4b., 11A.2.6, 11A.5.7, 14.3.1b), 14.3.1e), 25A.6.1(d)(1), Section 2 DEFINITIONS (Passive Recreation and Recreation, Passive), 3.25C., 5.2.12, 5.2.12a, 6.2.7, 6.2.8, 7.1.10, 7.1A.9, 7A.2.9, 7B.2.8, 7B.2.11, 7B.2.12, 7B.2.13, 7B.2.15, 7B.2.16, 7B.5, 7B.7, 8A.2.5, 8A.2A, 11A.5.5, 14.1 DEFINITIONS (Surplus Material), 14.6f), 15.2.10, 15.2.11, 17.2.3, and 17.2.4. Vote: approved unanimously.

#### 1) Town Center Zone

Due to other commitments, members of this Committee could not attend tonight's meeting.

The Commission has not received any information from the Board of Selectmen in regard to this matter.

M/S/C (McKenney/Savalle) to table discussion of the Town Center Zone to the October 26, 2010 Salem Planning and Zoning Commission Regular Meeting agenda. Vote: approved unanimously.

**2) Proposed amendments to the Salem Zoning Regulations**

This item was moved to and discussed before 1) *Town Center Zone* under *OLD BUSINESS*.

**NEW BUSINESS:**

There was no *NEW BUSINESS* this evening.

**ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:** N/A

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):** N/A

**PLUS DELTAS:**

Commission review of the positive aspects and areas for improvement in regard to the conduct of tonight's meeting.

**CORRESPONDENCE:**

There was no *CORRESPONDENCE*.

**ADJOURNMENT:**

M/S/C (Buckley/Amato) to adjourn the meeting at 9:20 pm. Vote: approved unanimously.

Doris McTigue, Administrative Assistant/Recording Secretary